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FILED
DISTRICT COURT OF GUAM
JAN 05 2006 *abc*
MARY L.M. MORAN
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM**

UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 05-00082
Plaintiff,)
vs.)
EUN YOUNG LEE,)
Defendant.)

**UNITED STATES MOTION TO
DISMISS INDICTMENT**

COMES NOW the United States of America, by and through undersigned counsel, and hereby moves this Honorable Court for an order dismissing the indictment in this matter, which is set for trial January 17, 2006, at 2006. The government makes this motion for the reasons set forth in the attached Declaration of Counsel, and pursuant to Federal Rule of Criminal Procedure 48(a).

Respectfully submitted this 5th day of January, 2006.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and CNMI

By:

Karon V. Johnson
KARON V. JOHNSON
Assistant U.S. Attorney

DECLARATION OF COUNSEL

I am the prosecuting attorney on this case, and have been involved in directing its investigation. It was initiated in August, 2004, after a cooperating informant advised the FBI that the defendant, one of the proctors for the written test required by the Guam Motor Vehicles Division, was securing Guam driver's licenses for unqualified persons, for \$1,000 each. The informant agreed to attempt to purchase driver's licenses from the defendant. Through a series of conversations and meetings, recorded by the FBI, he arranged for defendant to provide two licenses, in the names Mike Ho Park and Sang Mee Chun. She accepted \$1,000 for her services.

9 Defendant has rejected the government's plea offer, which required, among other things, that
10 she name the MVD officials who were issuing licenses for her. The FBI has identified at least three
11 other Koreans who have paid the defendant to receive illegal driver's licenses. According to our
12 informants, defendant has been doing this for years. The FBI is presently conducting an
13 investigation, through other informants, which we believe will ultimately lead to charges against the
14 defendant for many such offenses, and the identification of the MVD officials working with her.

15 If this case goes to trial on January 17, it will have to be unsealed, and the fact there is an
16 FBI investigation into the MVD will become public knowledge. The government is concerned that
17 such public knowledge will warn corrupt government officials and cause the destruction of records
18 important to this investigation. Accordingly, the government is moving to dismiss this indictment,
19 with the intent of seeking an indictment on these and other charges, when the FBI investigation is
20 complete.

Respectfully submitted this 5th day of January, 2006.


KARON V. JOHN SON
Assistant U.S. Attorney